

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JIM EARL KERN,

Defendant.

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CASE NO. 8:04CR148

ORDER

This matter is before the court on defendant's motion to proceed in forma pauperis (Filing No. 76), and defendant's motion to appoint new counsel (Filing No. 76).

IT IS ORDERED:

1. Defendant's motion for leave to proceed in forma pauperis and motion for appointment of counsel (Filing No. 76) are granted.

2. The Federal Public Defender for the District of Nebraska is appointed to represent the above-named defendant in this matter. In the event that the Federal Public Defender accepts this appointment, the Federal Public Defender shall forthwith file a written appearance in this matter. In the event the Federal Public Defender should decline this appointment for reason of conflict or on the basis of the Criminal Justice Act Plan, the Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.

3. The Clerk shall provide a copy of this order to the Federal Public Defender for the District of Nebraska.

DATED this 21st day of July, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge